

Application No. 10/022,296
Attorney Docket No. 13DV14148 (07783-0131)

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D.) AMENDMENTS TO THE DRAWINGS

None.

Application No. 10/022,296
Attorney Docket No. 13DV14148 (07783-0131)

E.) REMARKS

This Response is filed in response to the Office Action dated January 19, 2005.

Upon entry of this Response, claims 4-7 and 12-15 will be pending in the Application.

In the outstanding Office Action, the Examiner withdrew from consideration claims 17-20; rejected claims 1 and 9 under 35 U.S.C. 102(b) as being anticipated by Bauer et al. (U.S. Patent No. 6,691,127); rejected claims 2-3 and 10-11 under 35 U.S.C. § 103(a) as being unpatentable over Bauer et al. (U.S. Patent No. 6,691,127) in view of Ladouceur et al. (Publication No. US 2002/0116372); and objected to claims 4-7 and 12-15 as being dependent upon a rejected base claim.

Election/Restriction

Applicant has cancelled claims 17-20 of the Application in this Response, it is respectfully submitted that the restriction requirement is now moot. Accordingly, the Applicant respectfully requests withdrawal of the restriction requirement.

Rejection under 35 U.S.C. 102

The Examiner rejected claims 1 and 9 under 35 U.S.C. 102(e) as being anticipated by Bauer et al. (U.S. Patent No. 6,691,127).

Claims 1 and 9 have been cancelled in this amendment, rendering the rejection moot. Accordingly, the Applicant respectfully requests that the Examiner withdraw the rejection of claims 1 and 9 under 35 U.S.C. 102(h).

Rejection under 35 U.S.C. 103

The Examiner rejected claims 2-3 and 10-11 under 35 U.S.C. § 103(a) as being unpatentable over Bauer et al. (U.S. Patent No. 6,691,127) in view of Ladouceur et al. (Publication No. US 2002/0116372)

Application No. 10/022,296
Attorney Docket No. 131DV14148 (07783-0131)

Claims 2-3 and 10-11 have been cancelled in this amendment, rendering the rejection moot. Accordingly, the Applicant respectfully requests that the Examiner withdraw the rejection of claims 2-3 and 10-11 under 35 U.S.C. 103(a).

Allowable Subject Matter

The Examiner objected to claims 4-7 and 12-15 as being dependent upon a rejected base claim, but indicated that the claims would be allowable, if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In response thereto, claim 4-7 and 12-15 have each been rewritten in independent form including all of the limitations of the base claim and intervening claims, and is therefore believed to be allowable.


CONCLUSION

In view of the above, Applicant respectfully requests reconsideration of the Application and withdrawal of the outstanding objections and rejections. As a result of the amendments and remarks presented herein and the Examiner's indication that claims 4-7 and 12-15 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, Applicant respectfully submits that claims 4-7 and 12-15 are not anticipated by nor rendered obvious by Bauer et al., Ladouceur et al. or their combination and thus, are in condition for allowance. As the claims are not anticipated by nor rendered obvious in view of the applied art, Applicant requests allowance of claims 4-7 and 12-15 in a timely manner. If the Examiner believes that prosecution of this Application could be expedited by a telephone conference, the Examiner is encouraged to contact the Applicant.

Application No. 10/022,296
Attorney Docket No. 13DV14148 (07783-0131)

The Commissioner is hereby authorized to charge any additional fees and credit any overpayments to Deposit Account No. 50-1059.

Respectfully submitted,
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